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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

LYFT, INC.

Plaintiff,

v.

AGIS SOFTWARE DEVELOPMENT LLC,

Defendant.

Case No. 5:21-cv-04653-BLF

**PLAINTIFF LYFT, INC.'S MOTION TO
CONSIDER WHETHER ANOTHER
PARTY'S MATERIAL SHOULD BE
SEALED**

Judge: Hon. Beth Labson Freeman
Trial Date: October 16, 2023
Courtroom: 3, Fifth Floor

Plaintiff Lyft, Inc. (“Lyft”) has reviewed and complied with the Court’s Standing Order Governing Administrative Motions to File Materials Under Seal.

Lyft has reviewed and complied with the Northern District of California’s Civil L.R. 79-5 and 7-11 (dated November 1, 2021).

Lyft respectfully submits this Motion to Consider Whether Another Party’s Material Should Be Sealed for the following documents:

ECF or Exh. No.	Document	Portion(s) to Seal	Reason(s) for Sealing
ECF 138	Plaintiff Lyft, Inc.’s First Amended Complaint for Declaratory Judgment	Highlighted Portions at: <ul style="list-style-type: none"> • Page 5: lines 18-22; • Page 14: lines 13-17; • Page 15: lines 25-28; • Page 16: lines 15-16, 20-27. 	AGIS Software designated the source document from which the information was taken as highly confidential. Lyft takes no position with regard to such designations.

The Court previously granted sealing of the same material that Lyft identifies above when it considered Lyft’s Motion to Consider Whether Another Party’s Material Should Be Sealed (Dkt. 79) corresponding to Lyft’s Motion for Leave to File First Amended Complaint, an attachment to which was Lyft’s First Amended Complaint for Declaratory Judgment (Dkt. 78-2). *See* Dkt. 91. Lyft submits that its First Amended Complaint for Declaratory Judgment (Dkt. 138) is substantively identical to its previously filed First Amended Complaint for Declaratory Judgment (Dkt. 78-2), and differs only with respect to the date identified on the signature page.

This motion is further supported by the Declaration of Bethany R. Salpietra (“Salpietra Declaration”) in Support of Plaintiff Lyft, Inc.’s Motion to Consider Whether Another Party’s Material Should Be Sealed. Pursuant to Civil L.R., 79-5(e), Lyft identifies AGIS Software as having designated the information above as Highly Confidential or Confidential.

This motion is narrowly tailored to seal materials necessary and able to overcome the presumption in favor of access to court records. This motion is accompanied by the Salpietra Declaration and a proposed order. Lyft therefore lodges with the Court a copy of Plaintiff Lyft, Inc.’s First Amended Complaint for Declaratory Judgment.

1 Dated: May 25, 2022

Respectfully submitted,

2 By: /s/ Jeremy J. Taylor

3 Jeremy J. Taylor

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